

Remarks:

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 1 - 3, 5 - 25 and 27 - 35 are presently pending in the application. Claims 1, 21, 22 and 27 - 29 have been amended. Claims 4 and 26 have been canceled. New claims 30 - 35 have been added. **It is respectfully requested that the new claims be entered, as those new claims are believed to be allowable for the same reasons as the claims indicated in the Office Action as being allowable, and as such, are believed not to raise new issues or require extension of the field of search.**

Applicants gratefully acknowledge that item 15 of the above-identified Office Action indicated that claims 4, 6, 7 and 26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

More particularly, item 16 of the Office Action indicated, in part, that Applicants' former claim 4 was allowable because no prior art or combination thereof taught or suggested "using joint stereo coding using a downmix channel ... and using as an input channel the selected original channel ...". As such, Applicants' have amended independent claims 1 to include, among other limitations, the limitations of former claim 4,

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indicated as being allowable in item 16 of the Office Action.

Similarly, new claim 35 recites, among other limitations:

the calculating step further including performing joint stereo coding using a downmix channel as a carrier channel and using, as an input channel, the selected original channel, to generate joint stereo parameters as channel side information for the selected original channel; [emphasis added by Applicants]

Applicants' new claim 32 recites, among other limitations:

An apparatus for inverse processing of input data, the input data including channel side information, a first downmix channel or a signal derived from the first downmix channel and a second downmix channel or a signal derived from the second downmix channel, wherein the first downmix channel and the second downmix channel are derived from at least three original channels of a multi-channel audio signal, and wherein the channel side information are calculated such that a downmix channel or a combined downmix channel including the first downmix channel and the second downmix channel, when weighted using the channel side information, results in an approximation of the selected original channel, the channel side information for the selected original channel being joint stereo parameters, the apparatus comprising: [emphasis added by Applicants]

Similarly, Applicants' new claim 33 recites, among other limitations:

A method of inverse processing of input data, the input data including channel side information, a first downmix channel or a signal derived from the first downmix channel and a second downmix channel or a signal derived from the second downmix channel, wherein the first downmix channel and the second downmix channel are derived from at least three original channels of a multi-channel audio signal, and wherein the channel side information are calculated

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such that a downmix channel or a combined downmix channel including the first downmix channel and the second downmix channel, when weighted using the channel side information, results in an approximation of the selected original channel, the channel side information for the selected original channel being joint stereo parameters, the method comprising:
[emphasis added by Applicants]

As such, Applicants' amended claim 1 and new claims 32, 33 and 35 are believed to be patentable for the same reasons given for Applicants' former claim 4, in item 16 of the Office Action.

Additionally, item 16 of the Office Action indicated, in part, that Applicants' former claim 6 was allowable was allowable because no prior art or combination thereof taught or suggested "calculating channel side information for the right or left channel using the left or right downmix channel", respectively. Applicants new claims 30 and 34 recite, the limitations indicated in the Office Action as being allowable in Applicants' claim 6. As such, Applicants' new claims 30 and 34 are believed to be patentable for the same reasons as Applicants' claim 6, as set forth in item 16 of the Office Action.

Further, Applicants have amended claims 21 and 28 to include, and added a new claim 31 that includes, the subject matter of claim 7, indicated in item 15 of the Office Action as being

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allowable. Item 16 of the Office Action stated, in part, that Applicants' claims 7 and 26 were allowable because the prior art failed to teach or suggest "reconstruct an approximation for the center channel using channel side information for the center channel and the combined downmix channel. As such, Applicants' new claim 31 recites, among other limitations:

. . . wherein the means for calculating the channel side information is operative to calculate the channel side information for the center channel such that the combined downmix channel, when weighted using the channel side information, results in an approximation of the original center channel;

Applicants' claims 21 and 28 have been amended to recite similar limitations, among others. As such, Applicants' claims 21, 28 and 31 are believed to be patentable for the same reasons as are given in the Office Action for the allowability of claim 7, among other reasons.

Further, Applicants' claims 22, 27 and 29 have been amended to recite limitations similar to those of Applicants' former claim 26, among others. Applicants' former claim 26 has been canceled. For example, Applicants' claim 22 was amended to recite, among other limitations:

the channel reconstructor being operative to reconstruct an approximation for the center channel using channel side information for the center channel and the combined downmix channel.

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Applicants' amended claims 27 and 29 recite, among other limitations:

the reconstructing step further including
reconstructing an approximation for the center channel
using channel side information for the center channel
and the combined downmix channel.

As such, Applicants' amended claims 22, 27 and 29 are believed to be allowable for the same reasons given with regard to former claim 26, in item 16 of the Office Action.

Additionally, in item 5 of the Office Action, claims 1 - 5, 8, 11, 16, 19, 21, 22, 24 and 27 - 29 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U. S. Patent No. 5,701,346 to Herre et al ("**HERRE**").

In item 7 of the Office Action, claims 9, 12, 13 and 15 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over **HERRE** in view of Stoll, MPEG Audio Layer II: A Generic Coding Standard for Two and Multichannel Sound for DVB, DAB and Computer Multimedia, 09/1995 ("**STOLL**"). In item 8 of the Office Action, claim 14 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over **HERRE** in view of **STOLL**, and further in view of United States Patent No. 6,442,517 to Miller et al ("**MILLER**"). In item 9 of the Office Action, claim 10 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over **HERRE** in view of Theile, et al., MUSICAM-

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Surround: A Universal Multi-Channel Coding System Compatible with ISO 11172-3, 1992, October 1 - 4 ("THEILE"). In item 10 of the Office Action, claim 17 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over HERRE in view of U. S. Patent Application Publication No. 2004/0181393 to Baumgarte ("BAUMGARTE"). In item 11 of the Office Action, claim 18 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over HERRE in view of BAUMGARTE, and further in view of MILLER. In item 12 of the Office Action, claim 20 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over HERRE in view of Herre et al., Intensity Stereo Coding, 1994, Feb. 26 - Mar. 11, ("STOLL2"). In item 13 of the Office Action, claim 23 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over HERRE in view of U. S. Patent No. 5,044,217 to Brandenburg et al ("BRANDENBURG"). In item 14 of the Office Action, claim 25 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over HERRE (Third Embodiment) in view of HERRE2 (First Embodiment).

Applicants respectfully traverse the above rejections.

The amendments to the present claims are believed to moot the rejections made in items 5 - 14 of the Office Action.

However, Applicants reserve the right to argue the patentability of the previously presented claims over the

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above-listed rejections, in a continuing application to be filed at a later date.

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claims 1, 21, 22 and 27 - 35. Claims 1, 21, 22 and 27 - 35 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well, because they all are ultimately dependent on claims 1 or 22.

In view of the foregoing, reconsideration and allowance of claims 1 - 3, 5 - 25 and 27 - 35 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested, as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

Additionally, please consider the present as a petition for a one (1) month extension of time, and please provide a one (1)

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month extension of time, to and including, June 16, 2007 to
respond to the present Office Action.

The extension fee for response within a period of one (1)
month pursuant to Section 1.136(a) in the amount of \$120.00 in
accordance with Section 1.17 is enclosed herewith.

Please provide any additional extensions of time that may be
necessary and charge any other fees that might be due with
respect to Sections 1.16 and 1.17 to the Deposit Account of
Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



For Applicants

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June 12, 2008

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